

06/SEP/2004

FORM PTO-1390 (REV. 10-2003)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			
INTERNATIONAL APPLICATION NO. PCT/US03/07077	INTERNATIONAL FILING DATE 07 March 2003	ATTORNEY'S DOCKET NUMBER 4473P	
U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/507155		PRIORITY DATE CLAIMED 07 March 2002	
TITLE OF INVENTION Message Delivery and Acquisition System			
APPLICANT(S) FOR DO/EO/US Hays, Jeffrey C.			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (unsigned)</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>			
Items 11 to 20 below concern document(s) or information included:			
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input type="checkbox"/> Other items or information:</p>			

U.S. APPLICATION NO. (If known, see 37 CFR 1.10)

INTERNATIONAL APPLICATION NO.
PCT/US03/07077ATTORNEY'S DOCKET NUMBER
4473 P21. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO..... \$1080.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$ 1,000⁰⁰

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 130⁰⁰

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	4 - 20 =	0	x \$18.00	\$
Independent claims	1 - 3 =	0	x \$86.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)	0		+ \$290.00	\$

TOTAL OF ABOVE CALCULATIONS = \$ 1130⁰⁰ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.\$ 565⁰⁰SUBTOTAL = \$ 565⁰⁰

Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

TOTAL NATIONAL FEE = \$ 565⁰⁰

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

TOTAL FEES ENCLOSED = \$ 565⁰⁰

Amount to be refunded: \$

charged: \$

a. A check in the amount of \$ _____ to cover the above fees is enclosed.

b. Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0581. A duplicate copy of this sheet is enclosed.

d. Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:


SIGNATURE
Lloyd W. SadlerNAME
40,154

REGISTRATION NUMBER

SEP 13 2004

RCN:WJ

10/507 155
DT15 Rec'd PCT/PTO 06 SEP 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTORS: Jeffrey C. Hays

ASSIGNEE: ZINGBACK, INC.

SERIAL NUMBER: n/a

DATE FILED: n/a

INT'L PUB. NO.: WO 03/077515 A1

INT'L PUB. DATE: 18 September 2003

PCT INT'L APP. NO.: PCT/US03/07077

INT'L FILING DATE: 7 March 2003

PRIORITY DATE: 7 March 2002

TITLE: MESSAGE DELIVERY AND ACQUISITION SYSTEM

ATTORNEY DOCKET: 4473 P

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COVER LETTER

Honorable Commissioner:

Enclosed herewith please find the following documents comprising a United States patent application: (1) specification, claims and drawings, (2) declaration of inventor(s), (3) transmittal letter and fee calculation sheet, (4) fee, (5) statements of small entity status, (6) information disclosure statement and form(s) 1449, and (7) return receipt postcard.

Because the applicant is presently unavailable, the declaration of inventor is being submitted unsigned. The applicant intends to file the required declaration within the permitted period following receipt of a Notice of Missing Parts. Thank you.

Respectfully submitted this 6th day of September, 2004.


Lloyd W. Sadler. Reg. No. 40,154
PARSONS BEHLE & LATIMER
201 South Main Street, Suite 1800
Salt Lake City, Utah 84111

Ex Parte filing label: ER98087833805

10/507155

0116 Doc's PRACTICE 06 SEP 2004

Telephone: (801)532-1234

Facsimile: (801)536-6111

10/507 155

DT15 Rec'd PCT/PTO 06 SEP 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTORS: Jeffrey C. Hays

ASSIGNEE: ZINGBACK, INC.

SERIAL NUMBER: n/a

DATE FILED: n/a

INT'L PUB. NO.: WO 03/077515 A1

INT'L PUB. DATE: 18 September 2003

PCT INT'L APP. NO.: PCT/US03/07077

INT'L FILING DATE: 7 March 2003

PRIORITY DATE: 7 March 2002

TITLE: MESSAGE DELIVERY AND ACQUISITION SYSTEM

ATTORNEY DOCKET: 4473 P

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

Honorable Commissioner:

I hereby certify that the attached paper of fee (Patent Application) is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee," Express Mail Mailing Label Number ER980878338US, (under 37 C.F.R. § 1.10) on this 6th day of September, 2004 with sufficient postage and in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Signature of registered practitioner or other person having a reasonable basis to expect mailing to occur on the date of deposit shown pursuant to 37 C.F.R. § 1.8(a) or person actually making deposit pursuant to 37 C.F.R. § 1.10(b).

Lloyd W. Sadler, Reg. No. 40,154

Name of person whose signature is given above